

**SEALED**

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

15 MAR 17 PM 4:55

OFFICE OF THE CLERK

Plaintiff,

vs.

ANGEL A. ORAMAS, JORGE E. TSUHAKO  
a/k/a JORGE E. ALEMAN, VILMA E.  
FERNANDEZ, ANYIER PALADON, ELAIN  
CARTAYA, and YUSNEL ABREU LAMAS,

Defendants.

4:15CR3021

INDICTMENT

18 U.S.C. §§ 1029(a)(2), 1029(a)(3),  
1029(b)(1), 1029(b)(2), and 2

The Grand Jury charges:

COUNT I

Between on or about March 1, 2014, and on or about September 30, 2014, in the District of Nebraska and elsewhere, ANGEL A. ORAMAS, JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN, VILMA E. FERNANDEZ, ANYIER PALADON, ELAIN CARTAYA, and YUSNEL ABREU LAMAS, Defendants herein, knowingly and willfully agreed, combined and conspired together and with each other, and with other persons known and unknown to the grand jury, with intent to defraud, to use one or more unauthorized access devices during a one-year period, and by such conduct, obtained anything of value aggregating to one thousand (\$1,000) dollars or more.

OBJECT OF THE CONSPIRACY

The object of the conspiracy was to steal and obtain by fraud, merchandise and gift cards from retail merchants within the District of Nebraska and elsewhere, through the use of stolen

and unauthorized credit and debit card account numbers of legitimate account holders who reside in various states within the United States, and the countries of Japan and Spain.

#### WAYS, MANNERS, AND MEANS OF THE CONSPIRACY

The ways, manner, and means by which the conspirators carried out the purposes of the conspiracy included, but are not limited to:

It was part of the conspiracy that the defendants obtained credit and debit account numbers of legitimate account holders residing in various states within the United States and the countries of Japan and Spain;

It was also part of the conspiracy that the defendants re-encoded legitimate credit and debit account numbers onto access devices;

It was further a part of the conspiracy that the defendants utilized electronic card readers at retail merchants located in the district of Nebraska and elsewhere, to obtain merchandise from the re-encoded access devices;

It was further a part of the conspiracy that the defendants purchased and redeemed gift cards for merchandise with stolen and unauthorized credit and debit account numbers.

It was further a part of the conspiracy that the defendants enlisted other persons to complete transactions at electronic card readers at retail merchants, and to accompany and assist the defendants as they utilized electronic card readers to obtain merchandise.

#### OVERT ACTS

In furtherance of the conspiracy, and to accomplish the object of the conspiracy, the following overt acts, among others, were committed in the District of Nebraska:

a. On or about August 21, 2014, Defendants ANGEL A. ORAMAS, ANYIER PALADON, and ELAIN CARTAYA , without the consent, permission, or authorization of the legitimate account holders, possessed 15 or more debit/credit accounts issued by the United States Auto Associations (USAA) and Chemical Bank,

b. On or about March 7, 2014, Defendant ANGEL A. ORAMAS used a BMO Harris credit/debit account ending in the numbers 2697, without the consent, permission, or authorization of the legitimate account holder who resides in the state of Wisconsin, to obtain merchandise valued at \$218.03 from Shopko store #175 located in Lincoln, Nebraska.

c. On or about March 7, 2014, Defendants, ANGEL A. ORAMAS and JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN, without the consent, permission, or authorization of the legitimate account holders, used BMO Harris credit/debit accounts ending in the numbers 3602 and 5233, of legitimate account holders who reside in the states of Illinois and Wisconsin, to obtain merchandise valued at \$387.85 from Shopko #39, located in Lincoln, Nebraska.

d. On or about March 8, 2014, Defendants ANGEL A. ORAMAS and JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN, without the consent, permission, or authorization of the legitimate account holders, used BMO Harris credit/debit accounts ending in numbers 9345, 6249, and 7959, of legitimate account holders who reside in the states of Illinois and Minnesota, to obtain merchandise valued at \$229.47 from Shopko #47, located in Lincoln, Nebraska.

e. On or about March 19, 2014, Defendants JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN and VILMA E. FERNANDEZ, without the consent, permission, or authorization of the legitimate account holders, used BMO Harris credit/debit accounts ending in numbers 9390, 5776, and 7640, of legitimate account holders who reside in the states of Wisconsin and Illinois, to obtain merchandise valued at \$310.72 from Walmart #4600, located in Gretna, Nebraska.

f. On or about March 19, 2014, Defendants JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN and VILMA E. FERNANDEZ, without the consent, permission, or authorization of the legitimate account holders, used BMO Harris credit/debit accounts ending in numbers 5776 and 9390, of legitimate account holders who reside in the states of Wisconsin and Illinois, to obtain merchandise valued at \$303.28 from Walmart #4358, located in Omaha, Nebraska.

g. On or about March 25, 2014, Defendants, JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN and VILMA E. FERNANDEZ, without the consent, permission, or authorization of the legitimate account holders, redeemed Walmart gift cards that had been purchased by utilizing debit/credit account numbers of legitimate account holders who reside in the states of Wisconsin and Illinois, to obtain merchandise valued at \$349.11 from Walmart #1943, located in Lincoln, Nebraska.

h. On or about March 25, 2014, Defendants JORGE E. TSUHAKO a/k/a JORGE E.

ALEMAN and VILMA E. FERNANDEZ, without the consent, permission, or authorization of the legitimate account holders, redeemed Walmart gift cards that had been purchased by utilizing debit/credit account numbers of legitimate account holders who reside in the states of Wisconsin and Illinois, to obtain merchandise valued at \$42.21 from Walmart #4322, located in Crete, Nebraska.

i. On or about April 5, 2014, Defendants JORGE E. TSUHAKO a/k/a JORGE E.

ALEMAN and VILMA E. FERNANDEZ, without the consent, permission, or authorization of the legitimate account holders, redeemed Walmart gift cards that had been purchased by utilizing debit/credit account numbers of legitimate account holders who reside in the state of Indiana, to obtain merchandise valued at \$168.99 from Walmart #4322, located in Crete, Nebraska.

j. On or about June 13, 2014, Defendants JORGE E. TSUHAKO a/k/a JORGE E.

ALEMAN and VILMA E. FERNANDEZ, without the consent, permission, or authorization of the legitimate account holders, redeemed Walmart gift cards that had been purchased by utilizing debit/credit account numbers of legitimate account holders who reside in the states of California and Oklahoma, to obtain merchandise valued at \$112.59 from Sam's Club #6413, located in Lincoln, Nebraska.

k. On or about June 26, 2014, Defendant YUSNEL ABREU LAMAS, without the consent, permission, or authorization of the legitimate account holder, used a Pinnacle Bank credit/debit account ending in the number 2065, of a legitimate account holder who resides in the state of Nebraska, to obtain merchandise and currency valued at \$287.04 from Home Depot #3209, located in Lincoln, Nebraska.

l. On or about July 4, 2014, Defendant ANGEL A. ORAMAS, without the consent, permission, or authorization of the legitimate account holder, used USAA credit/debit account ending in the numbers 2718, of a legitimate account holder who resides in the state of Florida, to obtain merchandise and currency valued at \$440.98 from Home Depot #3209, located in Lincoln, Nebraska.

m. On or about July 10, 2014, Defendant ANGEL A. ORAMAS, without the consent, permission, or authorization of the legitimate account holders, used USAA credit/debit accounts ending in the numbers 1357 and 3140, of legitimate account holders who reside in the states of Maryland and Virginia, to obtain merchandise valued at \$774.80 from Sam's Club #4873, located in Lincoln, Nebraska.

n. On or about August 1, 2014, Defendant JORGE E. TSUHAKO aka/a JORGE E.

ALEMAN, without the consent, permission, or authorization of the legitimate account holder, used a Chemical Bank credit/debit account ending in the numbers 4404, of a legitimate account

holder who resides in the state of Michigan, to obtain merchandise valued at \$300.00 from HyVee Gas #5385, located in Lincoln, Nebraska.

o. On or about August 1, 2014, Defendants JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN and VILMA E. FERNANDEZ, without the consent, permission, or authorization of the legitimate account holder, used a Chemical Bank credit/debit account ending in the numbers 4404, of a legitimate account holder who resides in the state of Michigan, to obtain merchandise valued at \$120.52 from Walmart #3278, located in Lincoln, Nebraska.

p. On or about August 1, 2014, Defendants JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN and VILMA E. FERNANDEZ, without the consent, permission, or authorization of the legitimate account holder, used a Chemical Bank credit/debit account ending in the numbers 4404, of a legitimate account holder who resides in the state of Michigan, to obtain merchandise valued at \$163.65 from Walmart #2432, located in Lincoln, Nebraska.

q. On or about August 2, 2014, Defendant ANGEL A. ORAMAS, without the consent, permission, or authorization of the legitimate account holders, used Popular Bank credit/debit accounts ending in the numbers 4715 and 6241, of legitimate account holders who reside in the state of Florida, to obtain merchandise valued at \$671.52 from Sam's Club #8146, located in Omaha, Nebraska.

r. On or about August 9, 2014, Defendant ANGEL A. ORAMAS, without the consent, permission, or authorization of the legitimate account holder, used a USAA credit/debit account ending in the numbers 0046, of a legitimate account holder who resides in the state of Texas, and a Chemical Bank credit/debit account ending in the numbers 9524, of a legitimate account holder who resides in the state of Michigan, to obtain merchandise valued at \$490.17 from the Cenex Gas Station located in Beatrice, Nebraska.

s. On or about August 9, 2014, Defendant ANGEL A. ORAMAS, without the consent, permission, or authorization of the legitimate account holder, used USAA credit/debit account ending in the numbers 0046, of a legitimate account holder who resides in the state of Texas, and Chemical Bank credit/debit accounts ending in the numbers 9524, 5308, and 7214, of legitimate account holders who reside in the state of Michigan, to obtain merchandise valued at \$827.76 from the Sam's Club #6413, located in Lincoln, Nebraska.

t. On or about August 11, 2014, Defendants ANGEL A. ORAMAS and JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN, without the consent, permission, or authorization of the legitimate account holder, used MB Financial credit/debit account ending in the numbers 0308, of a legitimate account holder who resides in the state of Indiana, to obtain merchandise valued at \$272.19 from Walmart #3278, located in Lincoln, Nebraska.

u. On or about August 11, 2014, Defendants ANGEL A. ORAMAS and JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN, without the consent, permission, or authorization of the legitimate account holder, used MB Financial credit/debit account ending in the numbers 5787, of a legitimate account holder who resides in the state of Illinois, to obtain merchandise valued at \$126.25 from Walmart #5361, located in Omaha, Nebraska

v. On or about August 21, 2014, Defendants ANGEL A. ORAMAS, ELAIN CARTAYA, and ANYIER PALADON, without the consent, permission, or authorization of the legitimate account holders, used USAA Financial credit/debit account ending in the numbers 0512, of a legitimate account holder who resides in the country of Japan, Chemical Bank credit/debit account ending in numbers 2315, of a legitimate account holder who resides in the state of Florida, and Chemical Bank credit/debit accounts ending in numbers 2875 and 6728 of legitimate account holders who reside in the state of Michigan, to obtain merchandise valued at \$3,724.92 from Sam's Club #6413, located in Lincoln, Nebraska.

w. On or about August 21, 2014, Defendants ANGEL A. ORAMAS, ELAIN CARTAYA, and ANYIER PALADON, without the consent, permission, or authorization of the legitimate account holders, used USAA Financial credit/debit accounts ending in the numbers 0512, 1778, 0071, and 2889, of legitimate account holders who reside in the country of Japan and the states of Nebraska, Arkansas, and Vermont, to obtain merchandise valued at \$2,276.34 from Sam's Club #4873, located in Lincoln, Nebraska.

x. On or about August 21, 2014, Defendants ANGEL A. ORAMAS, ELAIN CARTAYA, and ANYIER PALADON, without the consent, permission, or authorization of the legitimate account holder, used Chemical Bank credit/debit accounts ending in the numbers 9211 and 3084, of legitimate account holders who reside in the states of Michigan and Indiana, to obtain merchandise and currency valued at \$722.31 from Walmart #2432, located in Lincoln, Nebraska.

y. On or about August 21, 2014, Defendants ANGEL A. ORAMAS, ELAIN CARTAYA, and ANYIER PALADON, without the consent, permission, or authorization of the legitimate account holder, used USAA Financial credit/debit accounts ending in the numbers 2889, 2396, 8269, and 7227, and Chemical Bank credit/debit accounts ending in the numbers 9111 and 0140, of legitimate account holders who reside in the states of Texas, North Dakota, Washington, Michigan, and Maryland, to obtain merchandise and currency valued at \$3,726.42 from Sam's Club #8146, located in Omaha, Nebraska.

z. On or about September 8, 2014, Defendant YUSNEL ABREU LAMAS, without the consent, permission, or authorization of the legitimate account holders, attempted to use Texas Health CU credit/debit account ending in the numbers 3493, Mutual First FCU credit/debit account ending in the numbers 0507, and First National Bank credit/debit account ending in the numbers 6091, of legitimate account holders who reside in the states of Texas, Nebraska, and

Iowa, to obtain merchandise valued at \$332.76 from Walmart #2432, located in Lincoln, Nebraska.

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aa. On or about September 8, 2014, Defendant YUSNEL ABREU LAMAS, without the consent, permission, or authorization of the legitimate account holder, used Equitable Bank credit/debit account ending in the numbers 8504, of a legitimate account holder who resides in the state of Nebraska, to obtain merchandise valued at \$401.24 from JC Penney, located in Grand Island, Nebraska

All in violation of Title 18, United States Code, Sections 1029(a)(2), and (b)(2).

COUNT II

On or about August 21, 2014, in the District of Nebraska, ANGEL A. ORAMAS, ANYIER PALADON, and ELAIN CARTAYA, Defendants herein, knowingly, and with intent to defraud, possessed 15 or more unauthorized access devices, to wit, debit/credit cards issued by the United States Auto Associations (USAA) and Chemical Bank, said possession affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(3) and (c)(1)(A)(i).

COUNT III

Between on or about March 1, 2014 and September 30, 2014, in the District of Nebraska and elsewhere, ANGEL A. ORAMUS, JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN, VILMA E. FERNANDEZ, ANYIER PALADON, ELAIN CARTAYA, and YUSNEL ABREU LAMAS, Defendants herein, knowingly and with intent to defraud, used unauthorized access devices, to wit: debit and credit card account numbers of account holders who reside in various states within the United States and the countries of Japan and Spain, and by such conduct obtained approximately \$ 74,772.50, said use affecting interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 1029(a)(2) and (c)(1)(A)(i) and 2.

## FORFEITURE

Upon conviction of the offenses in violation of Title 18, United States Code, Section 1029 as set forth in Counts I, II, and III of this Indictment, the Defendant, JORGE E. TSUHAKO a/k/a JORGE E. ALEMAN, shall forfeit to the United States of America---

- (A) Pursuant to Title 18, United States Code, section 982(a)(2)(B), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violations;
- (B) Pursuant to Title 18, United States Code, Section 1029(c)(1)(C ), any personal property used or intended to be used to commit the offenses.

The property includes, but is not limited to:

White 2002 Ford F250 Super Duty pick up, VIN # 1FTNF12EC88010, Nebraska license # TVC324, registered to Jorge Aleman Tsuhako, 4228 Harrison St., Omaha, NE.

White H & H utility trailer, model 4WH TC 16 2, VIN # 533TC1621EC232807, Nebraska license # 22X-4679, registered to Jorge Aleman Tsuhako, 407 E. 13<sup>th</sup> St., Crete, NE.

If any of the property described above, as a result of any act or omission of the Defendant:

- A. cannot be located upon the exercise of due diligence;
- B. has been transferred or sold to, or deposited with, a third party;
- C. has been placed beyond the jurisdiction of the court;

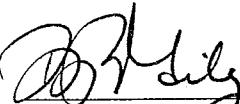
- D. has been substantially diminished in value; or
- E. has been comingled with other property which cannot be divided without difficulty;

The United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p) as incorporated by Title 18, United States Code, Sections 982(b)(1) and 1029(c)(2) and Title 28, United States Code, Section 2461(c).

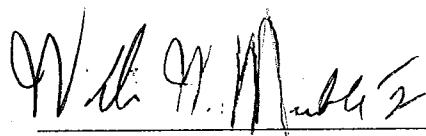
All pursuant to Title 18 United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C) and 28 United States Code, Section 2461(c).

A TRUE BILL.

  
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FOREPERSON

  
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DEBORAH R. GILG  
United States Attorney  
District of Nebraska

The United States of America requests that trial of this case be held in Lincoln, Nebraska, pursuant to the rules of this Court.

  
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WILLIAM W. MICKLE, II